

1 DANA A. SUNTAG (California State Bar #125127)
2 SUNTAG & FEUERSTEIN
3 A Professional Corporation
4 The Kress Building
5 20 North Sutter Street, Fourth Floor
6 Stockton, California 95202
7 Telephone: (209) 943-2004
8 Facsimile: (209) 943-0905
9 Dana@Suntag-Feuerstein.com

6 QUENDRITH L. MACEDO (California State Bar #179167)
Deputy County Counsel
7 OFFICE OF THE
COUNTY COUNSEL OF SAN JOAQUIN
8 44 North San Joaquin Street, Suite 679
9 Stockton, California 95202
Telephone: (209) 468-2980

10 Attorneys for Defendants
11 GARY COFFEY, JAMES C. WEYDERT,
and COUNTY OF SAN JOAQUIN

13 UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

CIV. No. 2:08-cv-1664 LKK-GGH

15 JOSEPH AMBROSE, D.C.,

16 Plaintiff,

17 v.

18 GARY COFFEY, et al.

19 Defendants.

CIV. No. 2:09-cv-2640-LKK-GGH

20 WILLIAM D. ORIGEL,

21 Plaintiff,

22 v.

23 TRAVELERS PROPERTY AND CASUALTY
24 COMPANY OF AMERICA, A Corporation;
25 WILLIAM REYNOLDS; THE COUNTY OF
SANJOAQUIN; JAMES C. WEYDERT; GARY
26 COFFEY; and DOES 1 to 100,

27 Defendants.

**STIPULATION AND ORDER RE
RESCHEDULING OF MOTION
TO DISMISS ORIGEL
COMPLAINT**

**Date: November 23, 2009
Time: 10:00 a.m.
Place: Courtroom 4**

1 WHEREAS, on October 5, 2009, Defendants County of San Joaquin,
2 James C. Weydert, and Gary Coffey (the "County Defendants") filed motions to
3 dismiss the complaints filed by Plaintiffs Richard Sausedo, Pedram Vaezi, and Michael
4 Yates, which motions are scheduled to be heard at 10:00 a.m. on November 23, 2009,
5 before the Honorable Lawrence K. Karlton;

6 WHEREAS, on October 15, 2009, the County Defendants filed a motion
7 to dismiss the complaint filed by Plaintiff Wilmer D. Origel, which motion was
8 scheduled to be heard at 9:00 a.m. on November 23, 2009, before the Honorable
9 Garland E. Burrell, Jr.;

10 WHEREAS, on October 30, 2009, Judge Karlton issued a Related Case
11 Order, in which he related the Origel case with the already related and consolidated
12 lawsuits filed by Sausedo, Vaezi, Yates, and Joseph Ambrose; the Related Case
13 Order also reassigned the Origel case to Judge Karlton;

14 WHEREAS, the Related Case Order also vacated the hearing on the
15 County Defendants' motion to dismiss Origel's complaint and directed the County
16 Defendants to renotice their motion to dismiss to reflect a hearing date available
17 before Judge Karlton, and invited the filing of a motion to shorten time for the hearing
18 of the motion to dismiss, if appropriate;

19 WHEREAS, the issues to be decided on the Origel motion to dismiss are
20 substantially the same as the issues to be decided on the motions to dismiss the
21 Sausedo, Vaezi, and Yates cases such that judicial economy would be served by
22 hearing the motions together:

23 THEREFORE, IT IS STIPULATED AND AGREED:

24 1. The hearing on the County Defendants' motion to dismiss the
25 Origel complaint shall occur on November 23, 2009, at 10:00 a.m., and the briefing
26 schedule shall reflect this hearing date.

1 2. This stipulation, once ordered and entered, shall constitute notice
2 of the new hearing date, time, and location, and the County Defendants need not refile
3 their motion to dismiss the Origel complaint.

4 Dated: November 2, 2009

SUNTAG & FEUERSTEIN
A Professional Corporation

5 By: /s/ Dana A. Suntag
6 DANA A. SUNTAG
7 Attorneys for Defendants GARY
8 COFFEY, JAMES C. WEYDERT,
and COUNTY OF SAN JOAQUIN

9 Dated: November 2, 2009


DRIVON, TURNER & WATERS
A Professional Corporation

10 By: /s/ Robert T. Waters
11 ROBERT T. WATERS
12 Attorneys for Plaintiff WILMER D.
ORIGEL

13 ORDER

14 It is so ordered.

15 Dated: November 3, 2009

16
17 
18 LAWRENCE K. KARLTON
19 SENIOR JUDGE
20 UNITED STATES DISTRICT COURT
21
22
23
24
25
26
27
28